



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 29, 1995

Ms. Martha C. Wright
Wright & Associates, P.C.
P.O. Box 531777
Austin, Texas 75053-1777

OR95-909

Dear Ms. Wright:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 32779.

The Grand Prairie Independent School District (the "school district") has received a request for information concerning the unionization of teachers employed by the school district. The school district has received a request for five specific pieces of information. You advise us that the school district has made some of the requested information available to the requestor. The school district, however, objects to the release of four of the documents, which you have submitted to us for review as exhibits B, D, E, and F. You claim that section 552.111 of the Government Code excepts these documents from required public disclosure.

Section 552.111 authorizes a governmental body to withhold from a requestor "[a]n interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency." In Open Records Decision No. 615 (1993) at 5, this office construed the statutory predecessor to section 552.111 and concluded that section [552.111] excepts from disclosure only those internal communications consisting of advice, recommendations, opinions, and other material reflecting the deliberative or policymaking processes of the governmental body at issue. The policymaking functions of an agency, however, do not encompass routine internal administrative and personnel matters. Furthermore, section 552.111 does not except purely factual information from disclosure. *Id.* at 5.

We have examined the documents submitted to us for review. They document several communiqués discussing the unionization of teachers in the school district and the effect that such action might have on the school district. The school district may not withhold the entirety of this information under section 552.111. Some of the information submitted to us, however, relates to the confidentiality policy of the school district. We have marked information consisting of advice, recommendations, and opinions reflecting the school district's policymaking process. Hence, such information may be withheld under section 552.111. The school district must release the remaining information in its entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Toya Cirica Cook". The signature is fluid and cursive, with the first name "Toya" being the most prominent.

Toya Cirica Cook
Assistant Attorney General
Open Government Section

TCC/KHG/rho

Ref: ID# 32770

Enclosures: Marked documents

cc: Ms. Ann H. Pogue
Grand Prairie Federation of Teachers
P.O. Box 530626
Grand Prairie, Texas 75053-0626
(w/o enclosures)